



IAP10 Rec'd PCTO 18 NOV 2005 #4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/534,781 Confirmation No.:  
Applicant : Neil Alexander Downie  
Filed : 11/20/2003  
For : Volume Flow Controller  
  
Art Unit :  
Examiner :  
  
Docket No. : 06309 USA  
Customer No. : 23543

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING	
I CERTIFY THAT THIS PAPER (ALONG WITH ANY PAPER REFERRED TO AS BEING ATTACHED OR ENCLOSED) IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE WITH SUFFICIENT POSTAGE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO:	
COMMISSIONER FOR PATENTS P.O. BOX 1450 ALEXANDRIA, VA 22313-1450	
ON	11/16/2005
Date	
Willard Jones, II	
(Type or print name of person mailing paper)	
<i>Willard Jones, II</i>	
Signature of person mailing paper	

Sir:

In response to the "Notice to File Missing Parts of Nonprovisional Application," dated 10/07/2005 (copy enclosed), the executed Declaration for the above-described application is enclosed. A Fee Transmittal (PTO/SB/17), in duplicate, is also enclosed.

Respectfully submitted,

*Willard Jones, II*  
Willard Jones, II  
Attorney of Record  
Registration No. 31,172

Air Products and Chemicals, Inc.  
7201 Hamilton Boulevard  
Allentown, PA 18195-1501

BEST AVAILABLE COPY



IAP10 Rec'd PCPTO 18 NOV 2005

4 JT

PATENT 06309 USA

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent application of: **Neil Alexander Downie**

Confirmation No.: **1736**

International Appln No.: **PCT/GB03/05064**

Priority Date: **11/20/2002**

Serial No.: **10/534,781**

Group No.:

Filed: **20 November 2003**

Examiner:

For: **Volume Flow Controller**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

### AMENDMENT TRANSMITTAL

- 1. Transmittal.** Transmitted herewith is a preliminary amendment for this application.
- 2. Status.** Applicants are other than a small entity.
- 3. Extension of Term.** The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 do not apply.

#### Certificate of Mailing/Transmission (37 C.F.R. 1.8a)

On 16 Nov 2005, NPI# 90410680005, file number 18534781, date shown below, being:

1. Filing date 16 Nov 2005  
deposited with the United States Postal Service on the  
date shown below with sufficient postage as first class mail  
in an envelope addressed to the: Commissioner of Patents,  
P.O. Box 1450, Alexandria, VA 22313-1450, or

16 Nov 2005

Date

- transmitted by facsimile to the Patent and Trademark Office.

Fax Number:

Willard Jones, II

Willard Jones, II  
Registration Number: 31,172

**4. Fee for Claims..** The fee for claims has been calculated as shown below:

Type of Claim	Claims Remaining After Amendment	Highest Number of Claims Previously Paid For	Present Extra	Rate	Additional Fee
Total	39	39	0	18	0
Independent	5	5	0	88	0
<b>Total Fee for Claims</b>					<b>0</b>

**5. Fee Payment.** No additional fees are due.

**6. Fee Deficiency.** If any additional extension and/or fee is required, charge Account No. 01-0493. If any additional fee for claims is required, charge Account No. 01-0493.

Respectfully submitted,

  
Willard Jones, II  
Registration No. 31,172

Air Products and Chemicals, Inc.  
Allentown, Pennsylvania 18195-1501  
(610) 481-4587



PTO/SB/17 (12-04)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995 no persons are required to respond to a collection of information unless it displays a valid OMB control number

Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

# FEE TRANSMITTAL For FY 2005

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 130.00)

## Complete if Known

Application Number	10/534,781
Filing Date	11/20/2003
First Named Inventor	Neil Alexander Downie
Examiner Name	
Art Unit	
Attorney Docket No.	06309 USA

## METHOD OF PAYMENT (check all that apply)

Check  Credit Card  Money Order  None  Other (please identify): \_\_\_\_\_

Deposit Account Deposit Account Number: 01-0493 Deposit Account Name: Air Products and Chemicals, Inc.

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below  Charge fee(s) indicated below, except for the filing fee

Charge any additional fee(s) or underpayments of fee(s)  Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

## FEE CALCULATION

## 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity	Fee (\$)	Small Entity	Fee (\$)	Small Entity	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

## 2. EXCESS CLAIM FEES

Fee Description	Small Entity
Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent	50 25
Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent	200 100
Multiple dependent claims	360 180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims	Fee (\$)	Fee Paid (\$)
- 20 or HP =	x 50	= 0				
HP = highest number of total claims paid for, if greater than 20						

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
- 3 or HP =	x 200	= 0	
HP = highest number of independent claims paid for, if greater than 3			

11/25/2005 ATRAM1 00000050 010493 10534781

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## 3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/ 50 =	(round up to a whole number) x 250 = 0		

Fees Paid (\$)

## 4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

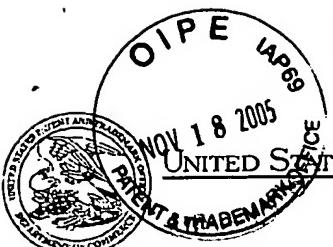
Other: Late oath and declaration surcharge 130

## SUBMITTED BY

Signature		Registration No. (Attorney/Agent) 31,172	Telephone 610 481 4587
Name (Print/Type)	Willard Jones, II	Date 11/16/2005	

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



UNITED STATES PATENT AND TRADEMARK OFFICE

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JAKI file #

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/534,781	Neil Alexander Downie	(PCT) 06309 USA
		INTERNATIONAL APPLICATION NO.
		PCT/GB03/05064
		I.A. FILING DATE PRIORITY DATE
		11/20/2003 11/20/2002
CONFIRMATION NO. 1736		
371 FORMALITIES LETTER		
 *OC00000017172575*		

Date Mailed: 10/07/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 05/13/2005
- Copy of the International Search Report filed on 05/13/2005
- Copy of IPE Report filed on 05/13/2005
- Oath or Declaration filed on 05/13/2005
- Copy of references cited in ISR filed on 05/13/2005
- U.S. Basic National Fees filed on 05/13/2005
- Priority Documents filed on 05/13/2005

*Response  
to Missing  
Parts Docketed  
for 07 December  
2005*

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of \$3510 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$3640 for a Large Entity:

- \$130 Surcharge.
- Total additional claim fee(s) for this application is \$ 3510
  - \$600 for 5 independent claims over 3.
  - \$2550 for 70 total claims over 20.
  - \$360 for multiple dependent claim surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

 The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

MAMIE P PERSON

Telephone: (703) 308-9140 EXT 227

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/534,781	PCT/GB03/05064	06309 USA

FORM PCT/DO/EO/905 (371 Formalities Notice)